

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

IN RE: DIGITEK PRODUCT  
LIABILITY LITIGATION

MDL NO. 1968

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**THIS DOCUMENT RELATES TO ALL CASES**

STATE OF NEW JERSEY                     )  
  ) SS.       **AFFIDAVIT OF CHRIS YOUNG**  
COUNTY OF UNION                     )

CHRIS YOUNG, being first duly sworn, according to law, and having personal knowledge of the matters contained herein as obtained through many sources in the course and scope of my job duties, deposes and states as follows:


1. I am the Managing Director of Operations of Actavis Totowa, LLC, a defendant in this action.
2. Digitek<sup>®</sup> is an FDA-approved prescription medicine used to treat mild to moderate heart failure and atrial fibrillation.
3. Amide Pharmaceuticals, Inc. produced Digitek<sup>®</sup> until its parent company was acquired by Actavis Group hf in 2005; after that, Actavis Totowa, LLC manufactured Digitek<sup>®</sup> but never distributed it directly to the marketplace. Actavis sold Digitek<sup>®</sup> to Mylan Pharmaceuticals, Inc.
4. On April 25, 2008, Actavis initiated a nationwide voluntary Class I recall of Digitek<sup>®</sup> due to the possibility that tablets of about twice the specified thickness (and which therefore may have had twice the approved level of active ingredient) *may* have been commercially released. The recall was initiated after a total of 20 nonconforming tablets were

observed in one lot (Lot 70924A) of tablets manufactured in November 2007. These tablets were shipped after two comprehensive inspections.

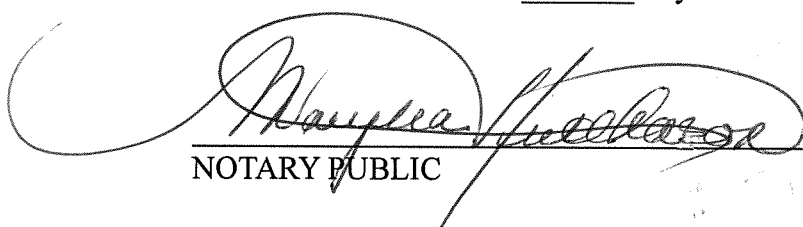
5. Ultimately, Lot 70924A was released for distribution on January 28, 2008, and sent to Mylan for distribution in early February 2008. Following discussions with FDA, and out of an abundance of caution, Actavis initiated the voluntary Class I recall. To date, not a single double-thick tablet has been identified as reaching the market.

6. The Actavis entities are Delaware business entities with principal places of business in New Jersey.

FURTHER AFFIANT SAITH NAUGHT.

  
CHRIS YOUNG

SWORN TO AND SUBSCRIBED IN MY PRESENCE this 18<sup>th</sup> day of February,  
2010.

  
NOTARY PUBLIC

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MARYLEA HUTCHASON  
ID # 2376861  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 8/13/2013